

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION -FLINT

UNITED STATES OF AMERICA,

Plaintiff,

CASE NO.: 4:95-CR-50014-9FL

vs.

HON. PAUL V. GADOLA
MAG. JUDGE WALLACE CAPEL, JR.

KENNY ROGER,

Defendant.

ORDER OF DETENTION
PENDING REVOCATION PROCEEDINGS

The Defendant appeared before the Court on September 28, 2006, based upon a Petition and Warrant for violation of his conditions of supervised release, filed on June 12, 2006.

The Defendant is charged with violation of the Standard Condition by testing positive for the use of marijuana and cocaine. Violation of the Standard Condition by committing another federal criminal offense while on supervised release; and violation of the Special Condition for failure to report to his supervising officer as directed on a number of occasions.

The report of the Probation Officer in this matter indicates that the Defendant began his term of supervised release on February 16, 2005.

Based upon the information presented at the hearing, it appears that the Defendant has failed to comply with the terms of supervised release by using illegal substances on a number of occasions, and by failing to report to his supervising officer as required. Additionally, the Defendant has a current federal criminal case pending in this Court for the offense of distribution of heroin. The Defendant has previously appeared on that charge. He was ordered detained without bond on May 15, 2006 on that charge.

Based upon the foregoing information, it appears that he has violated the terms of his supervised release and that he poses a danger to the community because of his continued criminal behavior.

Accordingly, the Defendant shall be detained without bond in this matter pending further proceedings before the district court judge.

The Defendant is hereby remanded to the custody of the United States Marshal.

IT IS SO ORDERED.

DATED: September 29, 2006

s/ Wallace Capel, Jr.
WALLACE CAPEL, JR.
United States Magistrate Judge

CERTIFICATE OF SERVICE

I hereby certify that on September 29, 2006, I electronically filed the foregoing paper with the Clerk of the Court using the ECF system which will send such notification of such filing to the following: Nancy A. Abraham, AUSA, David A. Koelzer, Federal Defender Office, and I hereby certify that I have mailed by United States Postal Service/hand delivered the paper to the following non-ECF participants: United States Marshal, 600 Church St., Flint, Michigan 48502, Probation Officer, 600 Church St., Flint, Michigan 48502

s/ James P. Peltier
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